



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) First Account and Report of Conservator, (2) Petition for Allowance of Fees for Attorney and (3) Petition for Waiver of Further Accounting (Prob. C. 2620, 2623, 2640, 2942)

DOD: 05/05/09		PAT MIRANDA , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 07/23/12</u> Minute Order from 07/23/12 states: Counsel advises the Court that her hard drive quit working ten days ago so she will need additional time. Matter continued to 08/20/12. Bond to remain in place. <u>Note:</u> This is the 5 th hearing on this matter. As of 08/14/12, no additional documents have been filed and following items remain: 1. Need Order. 2. Previous status reports filed in this matter indicate that the conservatee died on 05/05/09, this account only covers the period from 08/21/03 – 07/18/06. Need accounting for period of 07/19/06 – 05/05/09. 3. Distributions reflect monthly payment to Conservator, Pat Miranda, of \$400.00 for <u>room and board</u> ; however, there are multiple distributions to grocery stores as follows: - 10/11/03 Food Maxx - \$186.09 - 10/28/03 Savemart - \$36.70 - 11/08/03 Savemart - \$89.47 - 01/05/03 Savemart - \$65.30 - 02/02/04 RN Market - \$70.31 - 05/12/04 Food 4 Less - \$87.06 - 06/24/04 Savemart - \$87.65 - 07/12/04 Savemart - \$86.83 - 08/02/04 RN Market - \$43.37 - 08/05/04 Food Maxx - \$88.14 - 09/16/04 Vons - \$59.64 - 01/12/05 RN Market \$58.40 Court may require clarification of charges at grocery stores, were these groceries purchased for the Conservatee? Was food not included in the Room & Board charge? Also there are payments to PG&E as follows: - 01/15/04 \$200.00; 03/04/04 \$167.01; 08/20/04 \$150.00; 09/20/04 \$100.00; 12/17/05 \$150.00; 01/07/05 \$100.00; 02/08/05 \$150.00; 03/08/05 \$150.00; 04/05/05 \$100.00; 05/06/05 \$100.00; 07/11/05 \$155.45; 10/06/05 \$100.00. Was PG&E not included in the room & board payment, if not, why aren't payments made each month. The court may require more information. <div style="text-align: right;">Continued on Next Page</div>
		Account period: 08/21/03 – 07/18/06	
Cont. from 032712, 050712, 061812, 072312		Accounting - \$51,525.40 Beginning POH- \$22,168.18 Ending POH - \$381.16	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	x	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

4. Distributions schedule has several additional items that are unexplained and/or require more information showing how they benefited the conservatee, those items are as follows:
- 09/23/03 – Walgreens \$116.10
 - 10/11/03 – Simonian Farms \$14.08
 - 11/03/03 – SBC \$113.27
 - 11/03/03 – Target \$119.80
 - 11/03/03 – Sears \$87.31
 - 11/03/03 – Sears \$21.58
 - 11/13/03 – Walmart \$82.90
 - 12/22/03 – Target/Gift Cert. for x-mas \$167.30 – See CRC 7.1059 (b)(3)
 - 02/09/04 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 04/17/04 – Walgreens \$72.36
 - 04/20/04 – Transfer to Acct. XXXXXX-8485 \$1,700.00 – Is this another account of the conservatee?
 - 04/26/04 – Sears \$228.31
 - 05/13/04 – Transfer to Acct. XXXXXX-8485 \$200.00 – Is this another account of the conservatee?
 - 05/22/04 – Down payment on El Camino \$1,000.00 – Did the Conservatee drive? Was this car for the conservatee?
 - 06/03/04 – Carol Howard \$35.00
 - 06/05/04 – Walmart \$246.24
 - 07/16/04 – Chapel of the Light \$450.00
 - 08/03/04 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 09/01/04 – Savings Overdraft Fee \$10.00 – see CRC 7.1059(b)(1)
 - 10/10/04 – Walmart \$99.92
 - 10/21/04 – Wells Fargo Financial - \$70.00
 - 10/27/04 – Savings overdraft fee - \$10.00 - see CRC 7.1059(b)(1)
 - 11/02/04 – Savings overdraft fee - \$10.00 - see CRC 7.1059(b)(1)
 - 11/08/04 – Walter Clarke & Assoc. \$150.00
 - 11/08/04 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 12/02/04 – Savings overdraft fee - \$10.00 - see CRC 7.1059(b)(1)
 - 12/15/04 – Transfer to Acct. XXXXXX-8485 \$1,200.00 – Is this another account of the conservatee?
 - 01/03/05 – Transfer to Acct. XXXXXX-8485 \$500.00 – Is this another account of the conservatee?
 - 01/12/05 – Walmart \$43.33
 - 01/14/05 – Rite Aid \$29.40
 - 01/14/05 – Transfer to Acct. XXXXXX-8485 \$150.00 – Is this another account of the conservatee?
 - 01/14/05 – Savings overdraft fees - \$10.00 - see CRC 7.1059(b)(1)
 - 01/21/05 – Overdraft charge - \$5.00 - see CRC 7.1059(b)(1)
 - 01/24/05 – Overdraft charge - \$5.00 - see CRC 7.1059(b)(1)
 - 01/25/05 – Overdraft charge - \$5.00 - see CRC 7.1059(b)(1)
 - 02/04/05 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 02/15/05 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 03/02/05 – Transfer to Acct. XXXXXX-8485 \$500.00 – Is this another account of the conservatee?
 - 03/02/05 – Transfer to Acct. XXXXXX-8485 \$200.00 – Is this another account of the conservatee?
 - 03/03/05 – Overdraft fee - \$22.00 - see CRC 7.1059(b)(1)
 - 03/04/05 – Check 1156 payee not listed \$50.00
 - 03/10/05 – Transfer to Acct. XXXXXX-8485 \$200.00 – Is this another account of the conservatee?
 - 03/14/05 – Check 1157 payee not listed \$25.00
 - 03/18/05 – Transfer to Acct. XXXXXX-8485 \$400.00 – Is this another account of the conservatee?
 - 04/05/05 – Transfer to Acct. XXXXXX-8485 \$200.00 – Is this another account of the conservatee?
 - 04/07/05 – Transfer to Acct. XXXXXX-8485 \$200.00 – Is this another account of the conservatee?
 - 04/08/05 – Check 1159 payee not listed \$507.25
 - 04/18/05 – Overdraft fee \$10.00 - see CRC 7.1059(b)(1)
 - 04/18/05 – Check 1160, payee not listed \$250.00

04/29/05 - Transfer to Acct. XXXXXX-8485 \$10.00 - Is this another account of the conservatee?
05/05/05 - Transfer to Acct. XXXXXX-8485 \$400.00 - Is this another account of the conservatee?
05/16/05 - Transfer to Acct. XXXXXX-8485 \$500.00 - Is this another account of the conservatee?
06/03/05 - Check 1161, payee not listed \$500.00
06/16/05 - Transfer to Acct. XXXXXX-8485 \$100.00 - Is this another account of the conservatee?
06/16/05 - Check 1162, payee not listed \$505.50
06/16/05 - Check 1163, payee not listed \$60.00
07/01/05 - Share of Cost of IHSS - \$377.00
07/12/05 - Check 1164, payee not listed \$20.00
07/12/05 - Check 1165, payee not listed \$10.00
07/11/05 - Check 1166, payee not listed \$10.00
07/15/05 - Check 1167, payee not listed \$30.00
07/21/05 - Transfer to Acct. XXXXXX-8485 \$60.00 - Is this another account of the conservatee?
07/22/05 - Check 1168, payee not listed \$27.96
07/26/05 - Check 1169, payee not listed \$25.00
07/27/05 - Overdraft fee - \$22.00
07/29/05 - Overdraft fee - \$5.00
08/04/05 - Share of cost IHSS - \$377.00
08/08/05 - Check 1170, payee not listed \$500.00
08/16/05 - Transfer to Acct. XXXXXX-8485 \$200.00 - Is this another account of the conservatee?
09/15/05 - Share of cost IHSS - \$377.00
09/16/05 - Check 1171, payee not listed \$500.00
09/28/05 - Transfer to Acct. XXXXXX-8485 \$100.00 - Is this another account of the conservatee?
10/04/05 - Share of cost IHSS - \$377.00
10/07/05 - Check 1172, payee not listed \$50.00
10/11/05 - Check 1173, payee not listed \$150.00
10/13/05 - Online transfer to Pat Miranda - \$100.00
10/17/05 - Check 1174, payee not listed \$250.00
11/17/05 - Online transfer, payee not listed \$589.00
11/21/05 - Check 1301, payee not listed \$352.50
11/22/05 - Check 1302, payee not listed \$65.00
12/09/05 - Pat Miranda, IHSS \$589.00
12/12/05 - Check 1303, payee not listed \$25.00
12/29/05 - Transfer to Acct. XXXXXX-8485 \$150.00 - Is this another account of the conservatee?
01/03/06 - Pat Miranda, Share of Cost IHSS - \$589.00
01/10/06 - Arizona Mail Order - \$50.00
01/20/06 - Check 1304, payee not listed \$25.00
01/20/06 - Check 1305, payee not listed \$50.00
01/31/06 - Check 1306, payee not listed \$6.94
02/03/06 - Pat Miranda, Share of Costs IHSS - \$589.00
02/07/06 - Transfer to Acct. XXXXXX-8485 \$200.00 - Is this another account of the conservatee?
02/08/06 - Returned check fee \$30.00 - see CRC 7.1059(b)(1)
02/14/06 - Bill Pay Arizona Mail order - \$10.00
03/03/06 - Pat Miranda, share of costs IHSS - \$589.00
03/06/06 - Transfer to Acct. XXXXXX-8485 \$150.00 - Is this another account of the conservatee?
03/06/06 - Transfer to Acct. XXXXXX-8485 \$100.00 - Is this another account of the conservatee?
03/07/06 - Returned check fee \$30.00 - see CRC 7.1059(b)(1)
03/22/06 - Transfer to Acct. XXXXXX-8485 \$50.00 - Is this another account of the conservatee?
04/03/06 - Pat Miranda, share of costs IHSS - \$589.00
04/04/06 - Check 1308, payee not listed \$20.00
04/05/06 - Transfer to Acct. XXXXXX-8485 \$75.00 - Is this another account of the conservatee?

04/19/06 – Check 1309, payee not listed \$25.00
04/24/06 - Transfer to Acct. XXXXXX-8485 \$100.00 - Is this another account of the conservatee?
04/24/06 – Bill Pay Arizona Mail Order \$10.00
05/08/06 – Pat Miranda, Share of costs IHSS \$402.00
05/11/06 – Merrick Bank Credit Card Payment \$310.76 – Is this the conservatee's credit card?
05/24/06 – Check 1311, no payee listed \$15.00
05/26/06 – Check 1312, no payee listed \$638.00
06/13/06 – Check 1313, no payee listed \$638.00
07/14/06 – Check 1315, no payee listed \$1,224.00
07/14/06 – Transfer to Checking? \$350.00

(1) First and Final Account and Report of Administration and (2) Petition for Settlement and (3) for Statutory Commissions and Fees to Executor and Attorney and (4) for Final Distribution

DOD: 12/25/2008		L. CHARLES MILLER , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 4/2/2009- 5/31/12	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$202,028.64	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$118,812.89	
<input checked="" type="checkbox"/>	Inventory	Ending POH - \$139,486.22	
<input checked="" type="checkbox"/>	PTC	Executor - \$6,874.80	
<input checked="" type="checkbox"/>	Not.Cred.	(statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$6,874.80	
<input checked="" type="checkbox"/>	Aff.Mail	(statutory)	
	W/	Closing - \$1,500.00	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/>	Letters	4/3/09	
	Duties/Supp	James Allen Richardson, Kathryn Irene Sothern, Louise Anita Redcloud, Nancy Christine Rakes, Mary Elizabeth Smith, John Phillip Stafford, Thomas Scott Stafford, Lora Jayne Lindell, Lewis Charles Miller, Jr., Susan Leonard and Marguerite Miller - \$9,584.36 each	
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	Kimberly Sue Voelker, Denice Martin, Erica Jones Lantz and Wm Scott Richardson - \$4,792.16 each	
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/15/12
			Updates:
			Recommendation: SUBMITTED
			File 2 - Ferguson

Atty Keeler, Jr., William J., of Garvey Schubert & Barer, Portland, Or (for Petitioner Dennis L. Thomas, Successor Co-Trustee)

Atty Ivy, Scott J., of Lang Richert & Patch (for Respondent Janette Courtney, Executor)

Atty Neilson, Bruce A. (by Association, for Respondent Janette Courtney, Executor)

Petition to Determine Validity of Trust Instruments; to Determine Title to Property; to Recover Trust Property; to Compel Trustee to Account and Report; Financial Elder Abuse (Prob. C. 17200, 850; W & I C 15657.5)

Ernest DOD: 2003		<p>DENNIS L. THOMAS, son, Beneficiary, and Successor Co-Trustee, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> Ernest and Loretta Drummond were married and had no children together, but had seven children total from prior marriages: <ul style="list-style-type: none"> Ernest's children: SANDRA THOMPSON, JOANN DAWSON and [ERNEST] MICHAEL DRUMMOND, JR; Loretta's children: STEVEN THOMAS, DAVID THOMAS, DENNIS L. THOMAS (Petitioner), and JANETTE BURCH COURTNEY; Ernest and Loretta founded a successful hearing aid company called the DRUMMOND COMPANY (Drummond Co.); On 4/23/1992, Ernest and Loretta created the ERNEST L. DRUMMOND FAMILY TRUST ("Ernest Trust") (copy attached as Exhibit A); Schedule A to the Ernest Trust identifies and places into the Trust 2 parcels of real property, 2 bank accounts, 2 vehicles, 2 life insurance policies, an IRA, and 100% of the 30,000 shares of the Drummond Co. as property of the Ernest Trust; many of those assets remained in joint tenancy between Ernest and Loretta until Ernest's death, including the Drummond Co. shares; On 4/30/2003, Ernest and Loretta amended the Ernest Trust (copy of First Amendment attached as Exhibit B), in which both Ernest and Loretta agreed to make specific trust distributions of a 40-acre ranch and a liquor store in Mariposa to STEVEN THOMAS, son, and to provide all of Loretta's and Ernest's shares in the Drummond Co. to Dennis Thomas (Petitioner) free of trust upon the death of the survivor of Loretta and Ernest; <p>~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/9/2012. Minute Order states Mr. Keeler appearing via conference call. Counsel requests a continuance.</p> <p>Note: Attorneys for Respondent Janette Courtney filed on 5/22/2012 a Notice of Association of Counsel indicating that Attorney Bruce A. Neilson is associated in as counsel for Janette Courtney.</p> <p>Note for background: Order Granting Ex Parte Application for Temporary Restraining Order signed on 11/29/2011 orders Janette Courtney, Executor [appointed with full IAEA without bond on 9/15/2011], is restrained from transferring, selling, encumbering, leasing or granting any other interest in the real property located in Visalia to Tad Edwards or his assignee, or otherwise committing the acts described in the Notice of Proposed Action dated 10/25/2011 absent the supervision and order of this Court.</p> <p>1. Need proposed order.</p>
Loretta DOD: 6/9/2011			
Cont. from 020712, 043012, 070912			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	091511		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Post			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Petitioner states, continued:

- Upon Ernest's death in 2003, the **Ernest Trust** was divided into 2 sub-trusts, the Marital Trust ("**Survivor's Trust**") and Family Trust ("**Decedent's Trust**"); pursuant to the terms of the **Ernest Trust**, 50% of the shares of the Drummond Co. were held in Decedent's **Trust** after Ernest's death;
- Pursuant to the **Ernest Trust**, Petitioner is currently the acting Trustee of both the Survivor's **Trust** and Decedent's **Trust**, with the principal place of administration of both trusts being in Fresno County;
- On 8/11/2005, Loretta created the **LORETTA M. DRUMMOND "S TRUST"** ("**S Trust**") (copy attached as Exhibit C); Schedule A to the **S Trust** identifies 27,000 shares of the Drummond Co. as property of the **S Trust**, and the terms of this trust permit the subsequent addition of property to the trust;
- At the time of the **S Trust** creation, Loretta and Janette (Respondent) knew and/or through the exercise of reasonable care should have known that up to ½ of the 27,000 shares of the Drummond Co. stock were assets of the irrevocable **Decedent's Trust**;
- On 3/1/2007, Loretta amended the distribution scheme of the **S Trust** to provide for equal shares of the trust estate to be distributed to all seven of the Drummond children (copy of First Amendment to the **S Trust** attached as Exhibit D); [Examiner's Note: While ¶ 11 of the Petition states the amendment to the **S Trust** provided for equal shares of the trust estate to be distributed to "all seven" children, it appears from the copy of the First Amendment to the **S Trust** that distribution of the trust property was to be made to Janette Burch, David A. Thomas, Joann E. Dawson and Sandra L. Thompson only.]
- Pursuant to the **S Trust**, Janette Burch Courtney is the acting trustee of the **S Trust**, and the principal place of its administration is **Cincinnati, OH**;
- During Ernest's life, Petitioner worked at the Drummond Co. and while doing so acquired a **10% interest** in the company from Ernest and Loretta with the understanding and promise that he would inherit control of the Drummond Co. upon Ernest's death; Petitioner believed he would receive the additional shares of the Drummond Co. necessary for control from a trust established by Ernest;
- Upon Ernest's death, Petitioner was informed by Janette that Ernest had never established the trust he expected and she stated Ernest had attempted to establish a trust but that the trust did not actually exist because it had never been funded;
- Despite repeated requests to both Loretta and Ernest, Petitioner was unable to obtain a copy of the **Ernest Trust** from Janette until after Loretta's death;
- Although Petitioner believed that Ernest and Loretta had intended to leave the Drummond Co. to him upon Ernest's death, Janette indicated that because the shares in the Drummond Co. were held in joint tenancy between Ernest and Loretta, Loretta had become the owner of **90%** of the shares of the Drummond Co. through right of survivorship and was free to place those share into the **S Trust**;
- Janette, as Trustee of the **S Trust**, called a meeting of the shareholders of the Drummond Co. and by voting the shares of the Drummond Co. held in the **S Trust** and by acting as a majority shareholder, Janette removed Petitioner as an officer of the Drummond Co. and installed herself as president of the company;
- Petitioner subsequently left the employ of the Drummond Co., and after his departure, Janette offered to buy Petitioner's **10%** interest in the Drummond Co., demanding that Petitioner waive any interest in the Drummond Co. under both Ernest's and Loretta's estate plans, claiming that such waiver was necessary because there was a possibility she would sell the company and potential buyers might offer a lower price if they believed a conflicting claim to the company existed; in order to ensure Petitioner accepted her offer, Janette also raised a number of potential claims that the Drummond Co. could have against Petitioner and his wife, **MELANIE THOMAS**, at the time related to their tenures as employees of the Drummond Co.;

~Please see additional page~

Petitioner states, continued:

- A *Settlement Agreement Regarding Disputed Legal Matters* (attached as Exhibit E) was entered into by Petitioner, his wife, Janette, Loretta, the Drummond Co. and **SAUNDRA SOUSA**, Loretta's sister and the person who had actually been operating the Drummond Co. during Janette's tenure as president; the *Settlement Agreement* pertained to the various claims held or potentially held by the parties;
- Petitioner believes that as part of the settlement contemplated by that agreement, Petitioner and Janette also executed a stock purchase agreement that transferred Petitioner's **10%** interest in the Drummond Co. to Janette as Trustee of the **S Trust**; in the stock purchase agreement, Janette warranted that "Buyer has full power and right to enter into this Agreement and to purchase Seller's interest in the company;" Loretta signed the agreement as the owner of the Drummond Co. (copy of stock purchase agreement attached as Exhibit F);
- In June 2011, Petitioner was finally able to obtain copies of the **Ernest Trust** and its *First Amendment*; Petitioner was unaware until that time that the claims set forth in the *Petition* existed or were legally supported;
- After reviewing the **Ernest Trust** and its *First Amendment*, Petitioner first learned that upon the death of Ernest, Petitioner should have become a vested remainder beneficiary in a majority of the shares of the Drummond Co. despite Janette's statements and Loretta's actions to the contrary;
- Petitioner will file contemporaneously with this petition a complaint for damages and rescission in Fresno County Superior Court on the basis of these same facts. [Note: Civil case filed 12/29/2011 in Case #11CECG04320; first amended complaint filed 1/25/2012.]

Petition requests the Court determine the validity of the Ernest Trust on the following additional bases:

- Petitioner believes Ernest and Loretta executed the **Ernest Trust** and its *First Amendment* so as to ensure that all of their shares in the Drummond Co. distributed to Petitioner upon the death of the survivor of the two;
- Petitioner further believes that despite the fact that the shares were held in joint tenancy between Ernest and Loretta until Ernest's death, the declaration contained in the **Ernest Trust** that Ernest and Loretta "hereby transfer and deliver to the Trustees and their successors the property listed in Schedule A" was sufficient to fund the **Ernest Trust** pursuant to Heggstad because **100%** of the Trustors' shares of the Drummond Co. were listed in *Schedule A*;
- Petitioner asserts that the **Ernest Trust** and the *First Amendment* thereto are valid, binding, and enforceable trust instruments.

Petition requests the Court determine the [in]validity of the S Trust on the following additional bases:

- Petitioner believes the **S Trust** was executed in August 2005, after Ernest's death;
- **Improper funding:** Petitioner believes that due to the operation of the **Ernest Trust** and its *First Amendment*, Loretta did not have possession of or legal title to the 27,000 shares listed in *Schedule A* of the **S Trust**;
 - Petitioner believes that due to the operation of the **Ernest Trust** and its *First Amendment*, 100% of the shares of the Drummond Co. were set aside to be distributed to Petitioner free of trust upon the death of Loretta;
 - Ernest had often told Petitioner and his siblings, including Janette, that Petitioner would receive control of the Drummond Co. upon his death;
 - Because Loretta did not have possession of or legal title to the 27,000 shares listed in *Schedule A* to the **S Trust**, the **S Trust** and/or Janette as Trustee of the **S Trust** never acquired possession of or legal title to any of the Drummond Co. shares owned by the **Ernest Trust**; because the **S Trust** was never funded with shares in the Drummond Co., the **S Trust** is invalid insofar as it purports to control the distribution of any shares in the Drummond Co.;

~Please see additional page~

- **Undue Influence:** Petitioner believes that the entirety of the **S Trust** is invalid because Loretta executed the **S Trust** as a result of undue influence on the part of Janette;
 - Petitioner believes that Janette and Loretta were in a confidential relationship because they were mother and daughter, because Janette principally handled her mother's affairs, and because Janette had a durable power of attorney over Loretta at that time;
 - Petitioner believes that Loretta was susceptible to undue influence because she suffered from acute alcoholism and was frequently intoxicated or suffering from the effects of alcohol withdrawal;
 - Petitioner believes Janette was active in the procuring of the **S Trust** because Janette was principally in charge of Loretta's affairs, and because, due to Loretta's intoxication or other illness, Loretta could not have driven herself to an attorney's office, secured her own transportation, or otherwise interacted with an attorney without Janette's assistance;
 - Petitioner believes Janette unduly benefitted under the terms of the **S Trust** because the **S Trust** allowed for Janette to vote Petitioner off of the board of the Drummond Co. and to install herself as president of the company, reaping the benefits of that position; in addition, had the **S Trust** never been executed, the shares of the Drummond Co. would have been distributed to Petitioner pursuant to the intent of both Loretta and Ernest.

Petition for Relief under Probate Code § 850 Against Janette Burch Courtney as Trustee of the S Trust:

- Petitioner believes that Janette is in possession of either shares of the Drummond Co., proceeds from the sale of shares of the Drummond Co., or some combination thereof;
- Petitioner believes that those shares or the proceeds from the sale thereof are properly the property of the **Ernest Trust** and/or Petitioner acting as Trustee of the **Ernest Trust**;
- Petitioner seeks an order of the Court that Janette Burch Courtney transfer to Petitioner or otherwise hold in constructive trust for Petitioner any shares of the Drummond Co. and/or any funds derived from the sale of any and all funds and assets Janette has wrongfully removed from the Drummond Co.

Petition to Compel Trustee to Account and Report Against Janette Burch Courtney as Trustee of the S Trust:

- Petitioner alleges there is sufficient basis to compel Janette to render a complete account and report of her administration of the **S Trust** for the period of 8/11/2005 to the present, including the activities of the Drummond Co.;
- Petitioner requests the Court order Janette to include in her account and report her administration of any shares in the Drummond Co.

Petition for Financial Elder Abuse Against Janette Burch Courtney, individually and as Trustee of the S Trust:

- At all times relevant to this action, Loretta was aged 65 or older;
- Loretta created the **S Trust** with Janette's assistance and at Janette's direction; absent Janette's conduct, Loretta would not have so acted;
- Petitioner alleges that through Janette's assistance and by Janette's direction, 27,000 shares in the Drummond Co. were effectively put at Janette's disposal; Janette knew or should have known that her assistance in taking, secreting, misappropriating, obtaining, and/or retention of Loretta's property was likely to be harmful to Loretta, and that, by depriving Loretta of her shares, her conduct did in fact cause Loretta harm;
- Petitioner alleges that Janette's conduct constituted financial abuse under Welfare & Institutions Code § 15657.5 as defined in Welfare & Institutions Code § 15610.30.

~Please see additional page~

Petitioner prays for an Order from the Court finding that:

1. The **Ernest Trust** is a valid and enforceable declaration of trust;
2. The *First Amendment* to the **Ernest Trust** is a valid and enforceable amendment to the **Ernest Trust**;
3. Any provision of the **S Trust** that relates to or that purports to control the distribution of any shares of the Drummond Co. is invalid;
4. The entirety of the **S Trust** is invalid due to undue influence;
5. That Janette Burch Courtney, as Trustee of the **S Trust**, holds any shares of the Drummond Co. or any proceeds from the sale thereof in constructive trust for the benefit of Petitioner Dennis L. Thomas;
6. That Janette Burch Courtney, as Trustee of the **S Trust**, is ordered to immediately transfer any shares of the Drummond Co. or any proceeds from the sale thereof to Petitioner Dennis L. Thomas;
7. That Janette Burch Courtney, as Trustee of the **S Trust**, is ordered to file and serve a complete account and report of her administration of the **S Trust** for the period of 8/11/2005 to the present and return all funds and assets taken from the Trust and/or the Drummond Co.;
8. That Petitioner is awarded general damages in an amount according to proof;
9. That Petitioner is awarded special damages in an amount according to proof;
10. That Petitioner is awarded punitive damages in an amount sufficient to punish and deter similar conduct; and
11. That Petitioner is awarded costs and reasonable attorneys' fees.

Response to Petition to Determine Validity of Trust Instruments; to Determine Title to Property; to Recover Trust Property; to Compel Trustee to Account and Report; for Financial Elder Abuse; and Request for Abatement per Probate Code § 854 filed on 1/30/2012 by Contestant Janette Courtney, in her individual capacity, and in her capacity as Executor, and as Trustee of the Loretta M. Drummond "S" Trust, states:

- The *Petition* asserts various and serious allegations against her, most of which, if not all, are based upon allegations asserted on "information and belief" that are not sufficient evidence to support the relief granted in the *Petition*;
- Moreover, the *Petition* admits that Petitioner has also filed a civil action in Fresno County Superior Court (Case No. 11CECG04320) "on the basis of these same facts" as alleged in the *Petition*;
- Contestant cites the following: Pursuant to Probate Code § 854, the Probate Court, "upon request of any party to the civil action **shall abate the petition** until the conclusion of the civil action." Pursuant to Probate Code § 856.5, the Court "may not grant a petition under this chapter if the court determines the matter should be determined by a civil action." Pursuant to Probate Code § 852, any interested party may request a continuance to conduct discovery proceedings, or for other preparation for the hearing.
- The nature and complexity of the allegations set forth in the *Petition*, and the fact that almost all of the allegations are based upon "information and belief" not sufficient to support the granting of the *Petition* in any event, make it clear that these factual issues will be the subject of [extensive] and time-consuming discovery in the pending civil action;
- **Accordingly, Contestant requests that the Court deny the *Petition* pursuant to Probate Code § 856.5;**

~Please see additional page~

Janette Courtney's Response to Petition to Determine Validity of Trust, continued:

- Given that the *Petition* admits Petitioner is seeking relief "on the basis of the same facts" as those alleged in the pending civil action, **Contestant requests that this Court abate this action and this *Petition* until the conclusion of the civil action pursuant to Probate Code § 854;**
- If the Court declines to abate or deny the *Petition* as requested above, **Contestant requests that the Court continue the hearing on the *Petition* for a minimum of 180 days pursuant to Probate Code § 852 to allow Contestant to conduct sufficient discovery to defend against the numerous and very serious claims that are currently all asserted simply upon "information and [belief]."**

Contestant requests:

1. The Court deny the *Petition* pursuant to Probate Code § 856.[5] on the grounds that the matter should be determined in the currently pending civil action;
2. Alternatively, and only if the Court declines to dismiss the *Petition* pursuant to Probate Code § 856.5, the Court issue an order pursuant to Probate Code § 854 abating the *Petition* until the conclusion of the civil court action;
3. Alternatively, and only if the Court declines to dismiss and/or stay the *Petition* pursuant to Probate Code §§ 856.[5] and 854 as prayed, the hearing on the *Petition* be **continued for a minimum of 180 days** [pursuant to Probate Code § 852] to allow Contestant to conduct discovery and otherwise prepare for the hearing.

Atty Young, Charlotte A. (pro per – daughter/Petitioner)
 Atty Teixeira, Stanley (Court appointed for proposed conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.
 1820, 1821, 2680-2682)

Age: 81 DOB: 07/02/30		<p><u>PETITIONER WAS APPOINTED AS CONSERVATOR OF THE PERSON WITH MEDICAL CONSENT POWERS ON 06/25/12; DEMENTIA POWERS WERE NOT GRANTED</u></p> <p>CHARLOTTE YOUNG, daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications and as Conservator of the Estate without bond. Petitioner also requests that the Court waive the filing of an Inventory & Appraisal and waives accountings as long as the estate meets the requirements of Probate Code § 2628.</p> <p>Estimated Value of the Estate: Annual income - \$18,600.00 I & A filed 08/06/12 - \$377.42</p> <p>Voting Rights Affected.</p> <p>Petitioner states that Acie suffers from Alzheimer's disease and is no longer able to manage his finances or personal affairs. He cannot be left alone and requires assistance with all activities of daily living. He is unable to eat, prepare meals, bathe, dress and groom himself, and use the restroom without assistance. He is unable to take his medication or maintain a clean living environment. He doesn't know the date or time and does not recognize familiar people. He cannot handle money transactions or conduct banking transactions, he is susceptible to financial abuse.</p> <p>Court Investigator Jennifer Daniel filed a report on 06/12/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 06/25/12</u> Minute order from 06/25/12 states: The Court grants the Petition for Conservator of the Person and appoints Charlotte Young as the conservator. The Court orders the voting rights affected. The Court directs Charlotte Young to file an Inventory & Appraisal and obtain an amended declaration from the doctor indicating that medication is required. The Petition for Conservator of the Estate is continued to 08/20/12.</p> <p>1. Need Order and Letters.</p> <p>Note: If the petition is granted and accountings/Inventory & Appraisal are not waived, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 11/16/2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 08/16/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from 062512			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/o		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input checked="" type="checkbox"/> Pers.Serv.			
<input checked="" type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	x		
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input checked="" type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	x		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input checked="" type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq); Failure to File Inventory and Appraisal

DOD: 02/28/07		<p>JANET PICARD, was appointed Executor with no IAEA authority on 02/05/08 and Letters were issued on 02/21/08.</p> <p>Notice of Status Hearing filed 10/05/11 set this matter for status. The Clerk's Certificate of Mailing shows that the Notice of Status Hearing was mailed to Nancy Oehler, the Executor's counsel, on 10/05/11.</p> <p>Status Report of Executor and Petition to Continue Estate Administration was filed 10/31/11 by Executor, and states: The Estate is not ready for distribution nor in a condition to be closed. The Petitioner has had some difficulty in ascertaining the assets of the decedent, however, an inventory of assets has now been prepared and submitted to the Probate Referee for valuation. The Petitioner estimates that it will need one year to close the administration of the estate and requests a continuance until November 2012.</p> <p>Inventory & Appraisal filed 12/21/11.</p> <p>Corrected Inventory & Appraisal filed 05/24/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/27/12</u></p> <p>1. Need First Account and Petition for Final Distribution.</p> <p><u>Note:</u> See Page 9 for a related matter.</p>
Cont. from 11-14-11, 022712			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
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<input type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 08/14/12
Updates:
Recommendation:
File 7 - Picard

Atty Rountree, L. Clarke (for paternal grandmother Kimberly Bird)

Atty Rusca, Rose Marie (for Petitioner/guardian/maternal grandmother Victoria Van Linge-Schuh)

Atty Bird, Seth (pro per Father)

Status

Age: 6 years DOB: 4/26/2006	VICTORIA VAN LINGE-SCHUH , maternal grandmother, was appointed guardian on 9/1/09.	NEEDS/PROBLEMS/COMMENTS:
	Father: SETH BIRD	
	Mother: CHERISSE GILBERT	
Cont. from	Paternal grandfather: Kenneth Bird Paternal grandmother: Kimberly Bird Maternal grandfather: Keith Gilbert	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
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Notice of Hrg		
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Duties/Supp		
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UCCJEA		
Citation		
FTB Notice		

Guardian Victoria Van Linge-Schuh filed a petition to clarify the visitation. Guardian alleged in her petition that since the father had been having unsupervised visits the minor had begun wetting the bed and acting out in violent ways. The Guardian requested that the visits with the father be supervised and that the father be ordered to submit to drug testing.

Response of Clark Roundtree, attorney for paternal grandmother Kimberly Bird alleged that the Guardian's petition was in retaliation for an incident that occurred on the last day of school.

Minute order dated 7/9/12 from the hearing on the Petition to Clarify Visitation states: The court orders that the Tuesday visits in the March [May] order remain in full force and effect and the October order be followed with respect to the remaining issues. The Court further orders that father Seth Bird provide copies of his last three drug tests to Mr. Roundtree and Ms. Rusca. Additionally, Seth Bird is ordered to submit to a hair follicle test no later than 5:00 p.m. today at Choice Compliance Solutions. Ms. Rusca's client is ordered to pay the cost of the test. Seth Bird is ordered to bring proof that he has been attending a minimum of two AA/NA meetings per week to the next hearing.

Please see additional page

Reviewed by: KT
Reviewed on: 8/15/12
Updates:
Recommendation:
File 8 - Gilbert

Reply Declaration of Guardian Victoria Van Linge-Schuh, filed on 8/8/12 states, the petition she filed was due to recent events concerning the welfare and well-being of the minor. The points she brought up in her declaration were becoming more prevalent with the unsupervised visits to father, Seth Bird's home. Guardian states the eight declarations presented to her when she walked into court on July 9th were shocking, demeaning, unfounded and untrue attacks on her character. The minor was the focus of the hearing and he was exposed to and played violent games. Due to the minor's display of anger and aggression and bed wetting since his unsupervised visits with his father the minor is seeing a mental health counselor whose assessment is attached as Exhibit 3.

The guardian is asking that the court reinstate some sort of stability in the minor's life. While the minor loves his paternal grandmother and is getting to know his father, the constant transition between 3 homes with 3 wildly different parenting styles is not meeting his needs. If fact, as a direct result of the current visitation order, the minor has been diagnosed with anxiety disorders.

On 7/9/12 the court ordered the father to provide the guardian's attorney with his last 3 drug tests. As of 8/2/12 the guardian has yet to receive them.

The Guardian is requesting the court modify the existing visitation orders as they have created medical/emotional problems for the minor.

Guardian believes the minor needs to continue spending time with his paternal grandmother on alternating weekends and the father can see the minor on his mother's weekends provides she supervises them.

Guardian requests the court try this plan for three months and see if the minor's anxiety and bedwetting improves.

Note:

The guardian, Victoria Van Linge-Schuh and the paternal grandmother Kimberly Bird have an extensive visitation schedule that includes where the minor resides during the week, on weekends, holidays etc.

Visitation order per Order dated 10/18/11, in summary:

During the school year, Kimberly Bird (paternal grandmother), has visitation on the 2nd, 4th and 5th weekend of the month from Friday after school to Monday 9:00 (delivery at school). The visitation is extended to Tuesdays if Monday is a legal holiday.

Kimberly Bird (paternal grandmother) also has visits on alternating Tuesdays after school to Wednesdays (delivery at school).

Summer vacation Kimberly Bird and the guardian, Victoria Van Linge-Schuh have the minor with them on alternating weeks.

Holiday visits are also outlined in the visitation schedule.

Please see additional page

Visitation order per Order dated 5/7/12, in summary:

Kimberly Bird (paternal grandmother) shall continue to have visitation with the minor on alternating weekends beginning after school on Friday (11:40 a.m.) until delivery to school on Monday morning at 8:10 a.m.

Father, Seth Bird, shall have visitation with the minor, every Tuesday after school (11:40 a.m.) until delivery to school on Wednesday morning at 8:10 a.m.

Father, Seth Bird is to be added to the emergency contact list along with Kimberly Bird with Kimberly Bird and Seth Bird given priority over all others.

All remaining orders not changed remained in full force and effect.

DOD: 05/25/10		JANET PICARD , was appointed Executor with full IAEA authority and Letters were issued on 02/16/11.	NEEDS/PROBLEMS/COMMENTS:
		Notice of Status Hearing filed 10/05/11 set this matter for status. The Clerk's Certificate of Mailing shows that the Notice of Status Hearing was mailed to Nancy Oehler, the Executor's counsel, on 10/05/11.	OFF CALENDAR Inventory & Appraisal was filed 12/22/11.
Cont. from 111411, 022712			
<input type="checkbox"/>	Aff.Sub.Wit.	Status Report of Executor and Petition to Continue Estate Administration was filed 10/31/11 by Executor, and states: The Estate is not ready for distribution nor in a condition to be closed. The Petitioner has had some difficulty in ascertaining the assets of the decedent, however, an inventory of assets has now been prepared and submitted to the Probate Referee for valuation. The Petitioner estimates that it will need one year to close the administration of the estate and requests a continuance until November 2012.	Note: A status hearing for filing of the Account and Petition for Final Distribution will be set on: • Friday, November 2, 2012 at 9:00 am in Dept. 303
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202	Reviewed by: JF Reviewed on: 08/14/12 Updates: Recommendation: File 9 – Picard	
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		OFF CALENDAR. 1 st account filed and set for hearing on 8/28/12.
		Reviewed by: KT
		Reviewed on: 8/15/12
		Updates:
		Recommendation:
		File 10 - Fulcher

Status Re: Accounting

DOD: 6-5-09		<p>ROCKY BUCCI was appointed Administrator with full IAEA and without bond on 7/28/09.</p> <p>I & A filed 8/5/2009 reflects a total estate value of \$64,650.00, consisting of real property (house and mobile home), miscellaneous household furniture, and two vehicles.</p> <p>The first account or petition for final distribution was due 7/28/2010.</p> <p>The Court set a status hearing for the filing of the first account or petition for final distribution on 3/5/12.</p> <p>Status Report filed on 3/2/12 states the primary asset of the estate is a house and mobile home in Sanger, which both appraised at \$67,800. There is a mortgage on the property with an outstanding balance of approximately \$70,000. Rocky Bucci has been maintaining the property and making all the mortgage payments.</p> <p>Rocky Bucci and his two brothers, Dino Bucci and Anthony Bucci are the three heirs of the estate. Rocky Bucci had hoped to purchase the property from the estate, or reach an agreement with his brothers whereby he would receive distribution of the real property of the estate.</p> <p>Efforts to reach an agreement with the other heirs failed. Rocky Bucci has advised his attorney that he wants to wait until the real estate market improved to market the property for sale. He does not want to sell the real property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 4-30-12., 6-11-12, 7-23-12.</u></p> <p>Minute Order 4-30-12: Mr. Bucci advises the Court that the house has a principle of \$67,778.87. Matter continued to 6-11-12. The Court orders Joanne Sanoian and Rocky Bucci to be present on 6-11-12. A copy of the minute order was mailed to Joanne Sanoian on 5-4-12.</p> <p>Note: The Administrator was previously represented by Attorney JoAnn Sanoian; however, pursuant to Substitution of Attorney filed 3-7-12, the Administrator is now self-represented. Attorney Sanoian has filed a Request for Special Notice in this proceeding.</p> <p>Minute Order 7-23-12: Matter continued to 8-20-12</p> <p><u>The following issue remains:</u></p> <p>1. Need first account or petition for final distribution pursuant to Probate Code §12200.</p> <p>Note: According to the prior status report, the Administrator does not want to sell the property until the market improves. The Court may require information regarding the current status of the assets including the real property, cash and vehicles. For instance, is the real property occupied or vacant? Is rent being collected? How does this benefit the estate?</p> <p>Declaration of June Waara (Document preparer) filed 7-20-12 states she has been working with Mr. Bucci to finalize the estate but is still going through all of the documents to determine what needs to be in the account. Ms. Waara requests 30 days.</p> <p><u>- Declaration is not verified by the fiduciary.</u></p>
Cont. from 043012, 061112, 072312			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
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Notice of Hrg			
Aff.Mail			
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Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			

**Petition for Appointment of Probate Conservator of the Person
(Prob. C. 1820, 1821, 2680-2682)**

Age: 20 years	<p align="center">TEMPORARY EXPIRES 8/20/12</p> <p>NADINE CANNADY, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p> <p>Need Capacity Declaration to support request for medical consent powers.</p> <p>Petitioner states the proposed Conservatee has non-verbal Autism and needs assistance with all activities of daily living including bathing, feeding, and administering his medications, and he is unable to communicate with anyone.</p> <p>Court Investigator Jennifer Young's Report was filed on 6/28/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/5/12. Minute Order states the court on its own motion grants a temporary conservatorship without medical consent powers to Nadine Cannady. The temporary expires on 8/20/12. The Court directs the Petitioner to submit a declaration by the doctor by 8/20/12. As of 8/15/12 the capacity declaration has not been filed.</p> <p>Court Investigator Advised Rights on 6/26/2012.</p> <p>Voting Rights Affected – Need Minute Order.</p> <p>1. <i>Petition requests medical consent powers. Need Medical Capacity Declaration (Judicial Council form GC-335) in support of Petitioner's request.</i></p>
DOD: 9/1/1991		
Cont. from 070512		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
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<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
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<input type="checkbox"/> FTB Notice		
<p>Reviewed by: LEG / KT</p> <p>Reviewed on: 8/15/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Ali</p>		

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 3 months		<p align="center">TEMPORARY EXPIRES 08/20/2012</p> <p>SHERRY D. RYAN, Maternal Grandmother, is Petitioner.</p> <p>Father: TOBIAS SANCHEZ, personally served on 06/05/2012</p> <p>Mother: SABRINA TATUM, Deceased</p> <p>Paternal Grandparents: Unknown</p> <p>Maternal Grandfather: Don Tatum</p> <p>Petitioner alleges: the mother passed away on 5-20-12. Petitioner states the child needs to be seen by a doctor and doctors won't see him without something from the Court.</p> <p>Court Investigator Julie Negrete's report filed 07/11/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center"><u>Continued from 07/23/2012</u></p> <p>Minute order states: The Court is informed that there may be a paternity issue. Matter continued to 08/20/2012. The temporary is extended to 08/20/2012. The Court orders that a court investigator contact Mr. Sanchez.</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Paternal grandparents (Unknown) Don Tatum (Maternal grandfather) <p>Court Investigator Julie Negrete to provide:</p> <ul style="list-style-type: none"> Supplemental CI report 	
DOB: 05/10/2012				
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Reviewed by: KT / LV
Reviewed on: 07/19/2012
Updates:
Recommendation:
File 13 - Tatum

Petition for Visitation

Age: 1 ½ years		<p>DANIELLE MUNIZ, mother, is petitioner.</p> <p>GINA MUNIZ, maternal grandmother, was appointed temporary guardian on 6/21/12.</p> <p>Father: Unknown (Tony Padilla per CI report)</p> <p>Paternal grandparents: Unknown</p> <p>Maternal grandfather: Daniel Muniz</p> <p>Petitioner states her baby was removed from her by the guardian on 6/22/12 and she has had no contact with her baby since then. She was not noticed of the hearing. Petitioner states her mother [petitioner] lied about her reasons to take the baby. Mom states she cannot be without her baby until the next hearing on 8/20/12. She saw her mother on July 2, 2012 at the Selma welfare already applying for benefits. Petitioner states her mother told the court that she couldn't find her to serve her with the papers but she had no problems finding her to take the baby from her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See page 14B – Petition for Appointment of Guardian filed by maternal grandmother, Gina Muniz.</p> <p>Continued from 7/26/12. Minute Order states Ms. Muniz advises the court that the temporary guardian is evading her and also has made numerous completes and requests for wellness checks with law enforcement/CPS which have been determined to be unfounded. Ms. Muniz provides her contact information. As of 8/14/12 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ul style="list-style-type: none"> a. Gina Muniz (temporary guardian/maternal grandmother)
DOB: 10/9/2010			
Cont. from 072612			
Aff.Sub.Wit.			
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Inventory			
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Notice of Hrg	X		
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Letters			
Duties/Supp			
Objections			
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CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
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Citation			
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		<p>Reviewed by: KT</p> <p>Reviewed on: 8/14/2012</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14A- Padilla</p>	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 1 ½ years		<u>Temporary Expires for 8/20/12.</u>		NEEDS/PROBLEMS/COMMENTS:	
		GINA MUNIZ , maternal grandmother, is petitioner.		1. Need Notice of Hearing.	
		Father: UNKNOWN (Tony Padilla per CI report)		2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Tony Padilla (father) b. Danielle Muniz (mother)	
Cont. from		Mother: DANIELLE MUNIZ		3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Paternal grandparents b. Daniel Muniz (maternal grandfather) – unless court dispenses with notice.	
	Aff.Sub.Wit.			4. UCCJEA is incomplete. Need minor's residence information from 10/9/10 to 6/2/12.	
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		<p>Paternal grandparents: Unknown Maternal grandfather: Daniel Muniz – Declaration of Due Diligence filed on 6/6/12 states Mr. Muniz is homeless and Petitioner has not seen him for 10-12 years.</p> <p>Petitioner states the mother is running around homeless and is on “meth.” She leaves the baby with whoever will watch her. She uses her welfare money on drugs, sells her food stamps and the baby goes without.</p> <p>Objections of Danielle Muniz, mother, filed on 7/3/12 states she believes her mother is doing this for the benefits because she is no longer working and her husband has cancer. Mom states she is not an unfit mother and she has a home for the minor. Mom states her mother has hardly been there for her until this past month. Mom alleges that the reason her mother wants custody is because she has been allowing the minor to get to know her father and her other family.</p> <p>Court Investigator Dina Calvillo's Report filed on 8/13/12.</p>		<p>Reviewed by: KT</p> <p>Reviewed on: 8/14/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14B - Padilla</p>	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 5 years DOB: 5/28/2007		ROSA YOLANDA COMACHO , non-relative, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Jose Ramirez (alleged father, unless the court dispenses with notice.) 3. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Paternal grandparents b. Maternal grandparents 4. UCCJEA is incomplete. Need minor's residence information for 2007 to July 2009.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Father: UNKNOWN (CI report identifies the alleged father as Jose Ramirez , declaration of mother states she does not know who the father is as she had several partners during that time.) Mother: FRANCES E. NIETO – consents and waives notice. Paternal grandparents: Not listed. Maternal grandparents: Not listed. Petitioner states she has had the minor in her care since July 2009. Mom left the minor in Petitioner's care because she was unable to care for him. DSS Social Worker Jennifer Cooper's Report filed on 8/14/12.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		X
<input type="checkbox"/>	Aff.Mail		X
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		X
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/15/12
			Updates:
			Recommendation:
			File 15 - Ramirez